

# Trustee Board Training

## Focus: Laws



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1

## What Laws Govern Your Work?

2

## Why Do Public Libraries Exist? VSA Title 22

### Chapter 3, § 67

(a) The General Assembly declares it to be the policy of the State of Vermont that **free public libraries are essential** to the general enlightenment of citizens in a democracy and that every citizen of the State of Vermont should have access to the educational, cultural, recreational, informational, and research benefits of a free public library.

3

## Laws: State, Federal, Local, & ALA Guidelines

- Wide Range of Laws & Guidelines to Follow
- Similar to Running a Small Business
- See Handout – “Trustee Training: Laws That Govern Your Work” - <http://bit.ly/LibraryLaws>
- Important to Read and Understand ALA Guidelines:
  - Code of Ethics
  - Freedom to Read & Library Bill of Rights

4

## Division of Powers: Trustees & SelectBoard

- Important: We Are All In This Together
- Also Important: Knowing The Law of Public Libraries
  - Municipal Library Trustees: “Shall have full power” 22 V.S.A. § 143
  - Incorporated Library Trustees: “have control and management of the affairs and property of the corporation” 22 V.S.A. § 105
- It’s a delicate balance to maintain and nurture

5

## Who Is In Charge?

- Know Your Library’s Sources of Authority
- Become Familiar with the Law of Public Libraries
- Our Laws Do Not Address Every Possible Scenario
- Work Together on Behalf of Your Community
- When In Doubt, Consult Your Legal Counsel



Source:  
<https://www.flickr.com/photos/99558277@N07/10875349695/>

6

# What are the Fiduciary Duties of the Trustees?

7

## Duty of Care or Diligence

Behave in the best interests of the library



8

## Duty of Loyalty

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Avoid conflict  
between duty to  
the library &  
self-interest



9

## Duty of Obedience

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Understand the  
Statutes, Charter,  
and Bylaws



10

# What Laws Should Govern Trustee Meetings?

11

## What Rules Govern Meetings?

- Roberts Rules of Order – if by-laws demand it
- Note: Roberts Rules are not required by VT statute
- VT Open Meeting Law for municipal libraries
- VT Open Meeting Law for incorporated libraries that wish to meet the VT Minimum Standards for Public Libraries
- Norms or ground rules set by the board

12

## When Does Open Meeting Law Apply?

A **quorum** of the board meets to **discuss library business**



Source: <https://www.flickr.com/photos/wwwworks/9111274504>

13

## What is the Point of Open Meeting Law?

Give the public a fair & open opportunity to participate in discussions of, & decisions made by, their government



Source: <https://www.flickr.com/photos/wwwworks/9111274504>

14

## What is the Point of Open Meeting Law?

Make Government More Transparent



Source: <https://www.flickr.com/photos/wwwworks/9111274504>

15

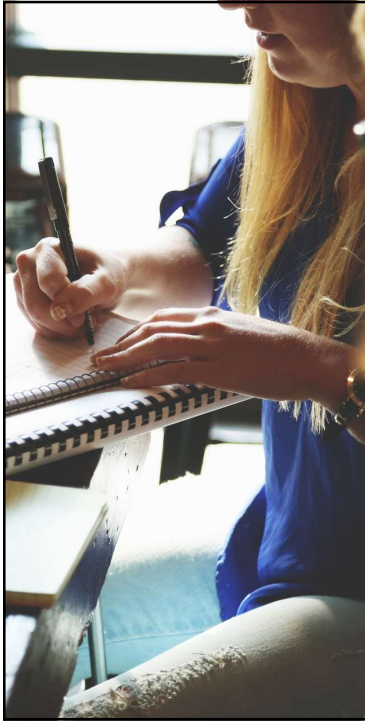


Source:  
<https://www.flickr.com/photos/149902454@N08/35417844812>

## Requirements of Open Meeting Law

- Provide advance notice
- Create & post an agenda
- Conduct business in open meeting
- Allow public comment
- Record & post minutes
- Respond to violation complaints
- Vote by roll call (electronic participation & not unanimous)
- Follow executive session rules

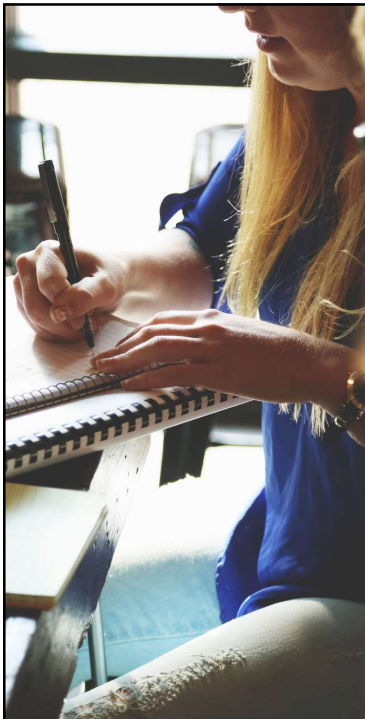
16



## Agenda Posting

- Regular Meetings: 48 hours in advance
- Special Meetings: 24 hours in advance
- Emergency Meetings – rare; only for situations requiring immediate attention
- Post on/in:
  - website that the public body designates
  - municipal office
  - 2 other places designated by municipality

17



## Minutes

- Public Records
- Available within 5 Calendar Days
- Names of Board Members & Active Participants
- All motions, proposals, resolutions, & results of votes
- Not a transcript: “true indication of the business of the meeting”

18



## Executive Session: How To

- Make a motion: indicate reason, state statutory provision
- Vote must pass by majority to enter
- Chair asks public to exit
- Board may invite staff, clerks, legal counsel, & persons whose information is needed to stay

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19



## Inside Executive Session

- Discuss issue; make no decisions
- Discuss only subject matter of motion
- Decisions from discussion must be voted on outside of executive session

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20

## The Unintended Meeting

Discussing problems, solutions, & other library business over email or text with a quorum



21

## Contact Me

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22